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Date October 31, 2002 Label No. EV178735585US

I hereby certify that, on the date indicated above, I deposited this paper with identified attachments and/or fee with the U.S. Postal Service and that it was addressed for delivery to the Assistant Commissioner for Patents, Washington, DC 20231 by "Express Mail Post Office to Addressee" service.

Dawn M. Berry  
Name (Print)

Dawn M. Berry  
Signature

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NOV - 4 2002

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

KITCHELL et al.

Application No.: 10/083,657

Filed: February 25, 2002

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)

Group Art Unit: Unassigned

Examiner: Unassigned

TECHNOLOGY CENTER R3700

For: METHODS OF MAKING A NIOBIUM METAL OXIDE

**SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT**  
**PURSUANT TO 37 CFR 1.97(c)**

Assistant Commissioner for Patents  
Washington, D.C. 20231

October 31, 2002

Sir:

The attention of the Patent and Trademark Office is hereby directed to the documents listed on the attached Form PTO-1449. One copy of each of these documents is attached.

This Information Disclosure Statement is being submitted after expiration of the three month period following filing of the above-captioned application but before issuance of any final Office Action or Notice of Allowance.

The undersigned hereby certifies that each item of information contained in this statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this statement.

The above information is presented so that the Patent and Trademark Office can, in the first instance, determine any materiality thereof to the claimed invention. See 37 CFR 1.104(a) and 1.106(b) concerning the PTO duty to consider and use any such information. It is respectfully requested that the information be expressly considered during the prosecution of this application, and that the documents cited in the attached Form PTO-1449 be made of record therein.

Supplemental Information Disclosure Statement  
U.S. Patent Application No. 10/083,657

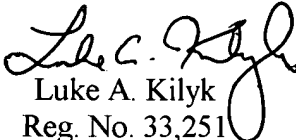
and appear on the first page of any patent to issue therefrom.

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that each or all of the listed documents are material or constitute "prior art." If the Examiner applies any of the documents as prior art against any claim in this application and applicant determines that the cited documents do not constitute "prior art" under United States law, applicant reserves the right to present to the office the relevant facts and law regarding the appropriate status of such documents.

Applicant further reserves the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should one or more of the documents be applied against the claims of the present application.

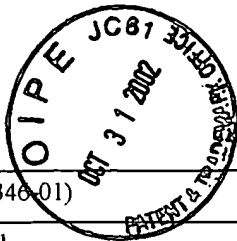
It is believed that no fee is required to make this a complete and timely filing. However, if it is determined that a petition or fee is required, the Commissioner is hereby authorized to charge any fee associated with this statement to our Deposit Account No. 03-0060 and please consider this a petition.

Respectfully submitted,

  
Luke A. Kilyk  
Reg. No. 33,251

Atty. Docket No. 01017(3600-346-01)  
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Enclosures: PTO-1449, w/ 3 Documents  
Copy of International Search Report



Atty. Docket No.: 01017 (3600-346-01)		Application No.: 10/083,657				
Applicant: KITCHELL et al.						
Filing Date: February 25, 2002		Group Art Unit: Unassigned				
<b>U.S. PATENT DOCUMENTS</b>						
Examiner Initial*	Document Number	Date	Name	Class	Sub Class	Filing Date If Appropriate
<b>FOREIGN PATENT DOCUMENTS</b>						
	Document Number	Date	Country	Class	Sub Class	Translation Yes or No
	WO 02/068333 A2	09/06/02	WIPO			Yes
	WO 00/15556	03/23/00	WIPO			Yes
	WO 00/15555	03/23/00	WIPO			Yes
						Yes
<b>OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)</b>						
International Search Report for PCT US 02/05954.						
Examiner		Date Considered				
*Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.						
Form PTO 1449				Patent and Trademark Office - U.S. Department of Commerce		

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